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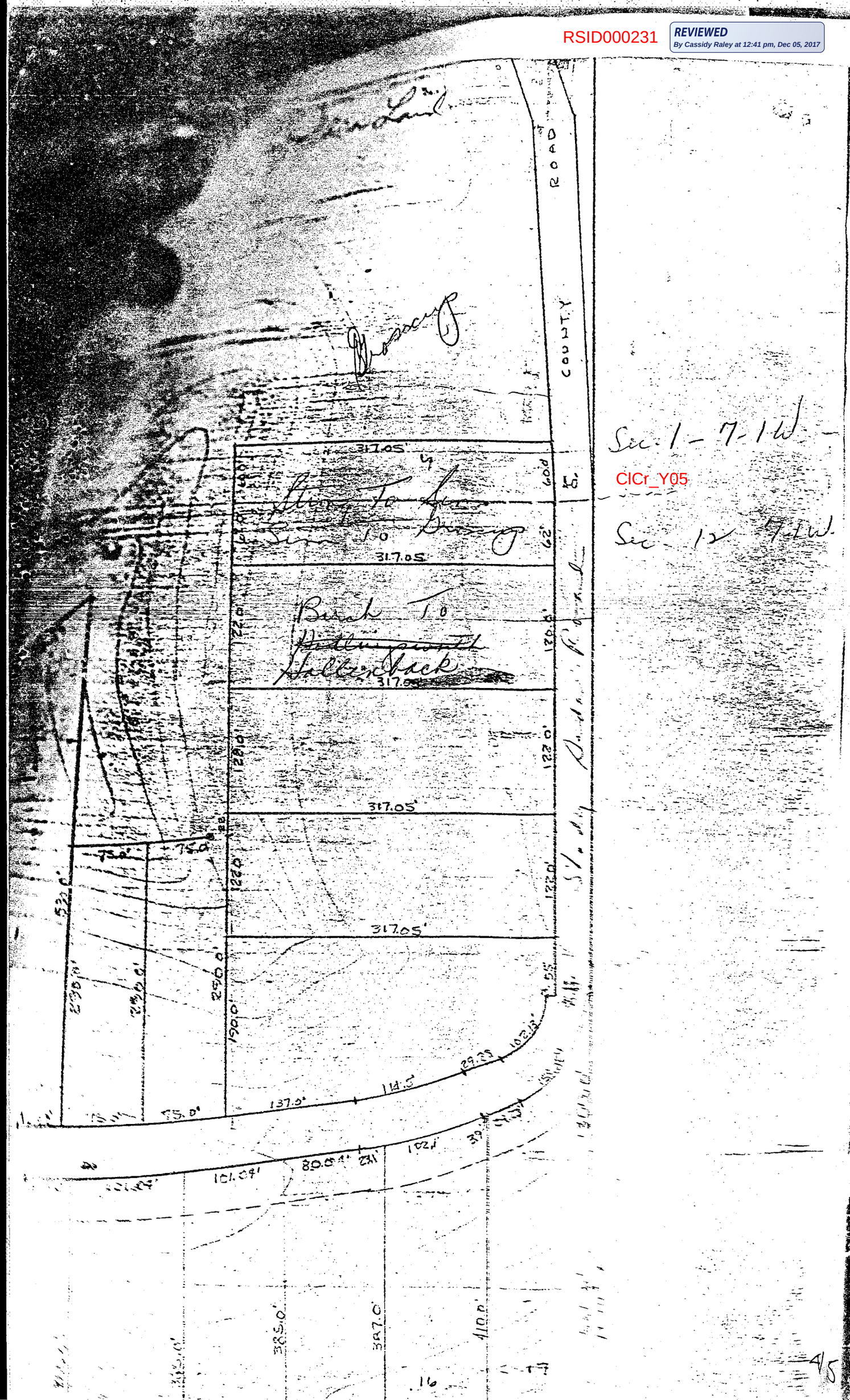
By Cassidy Raley at 12:41 pm, Dec 05, 2017



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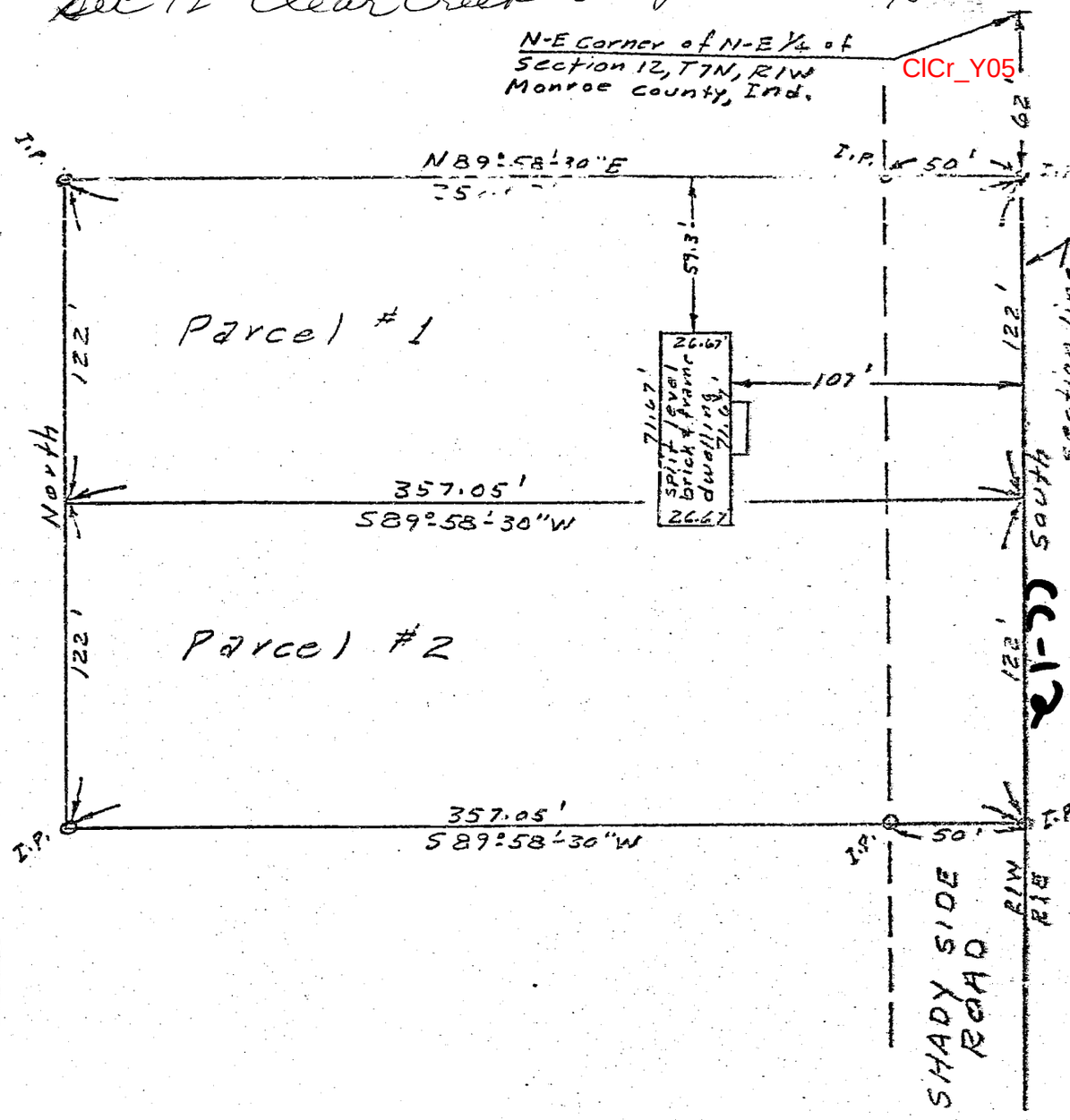
Sec 12 Clear Creek Twp. Sec 12



CC-12

JULY 24, 1972

N

scale 1"=60'

Plat of Survey for WALLACE REX MITCHELL

LEE UTT, R.L.S. # S0089, Ind.
R.R. 14, box 291, Bloomington, Ind. 47401

LEE UTT
REGISTERED
No. S-0089
STATE OF
INDIANA
LAND SURVEYOR

CERTIFICATE OF SURVEY

State of Indiana
County of Monroe SS:

I, Lee Utt, duly licensed Land Surveyor No. S0089, do hereby certify that the attached plat is a true and correct survey of real estate described as follows, to-wit:

Parcel # 1.

A part of the Northeast quarter of Section 12, Township 7 North, Range 1 West, Monroe County, Indiana, bounded and described as follows: Beginning at a point on the east line of said Section 12, said point being 62 ft. South of the Northeast corner of said Northeast quarter; thence from said point of beginning and with the east line of said Section 12 and running South for 122 ft.; thence leaving the east line of said Section 12 and running South 89°-58'-30"West for 357.05 ft.; thence North for 122 ft.; thence North 89°-58'-30"East for 357.05 ft. and to the point of beginning. Containing 1.00 acre, more or less.

Parcel # 2

A part of the Northeast quarter of Section 12, Township 7 North, Range 1 West, Monroe County, Indiana, bounded and described as follows: Beginning at a point on the east line of said Section 12, said point being 184 ft. South of the Northeast corner of said Northeast quarter; thence from said point of beginning and with the east line of said Section 12 and running South for 122 ft.; thence leaving the east line of said Section 12 and running South 89°-58'-30"West for 357.05 ft.; thence North for 122 ft.; thence North 89°-58'-30"East for 357.05 ft. and to the point of beginning. Containing 1.00 acre, more or less.

Subject to all legal highways and rights of way.

The above described tracts of land being the same tracts of land intended to be described in a deed from The Bloomington National Bank to Wallace Rex Mitchell and Mary Evelyn Mitchell and recorded September 14, 1971, in deed record 206, page 287 in the office of the Recorder of Monroe County, Indiana.

I further certify that:

1. All improvements on said tract are shown on the attached plat and lie within boundaries of said tract.

2. There are no encroachments upon the described tract by any improvements appurtenant to adjoining tracts.

3. All corners are marked by stake, iron pipe, or otherwise as shown on the attached plat.

In witness whereof I hereunto attached my hand and seal at Bloomington, Indiana, this 24th day of July 1972.

Lee Utt

_____

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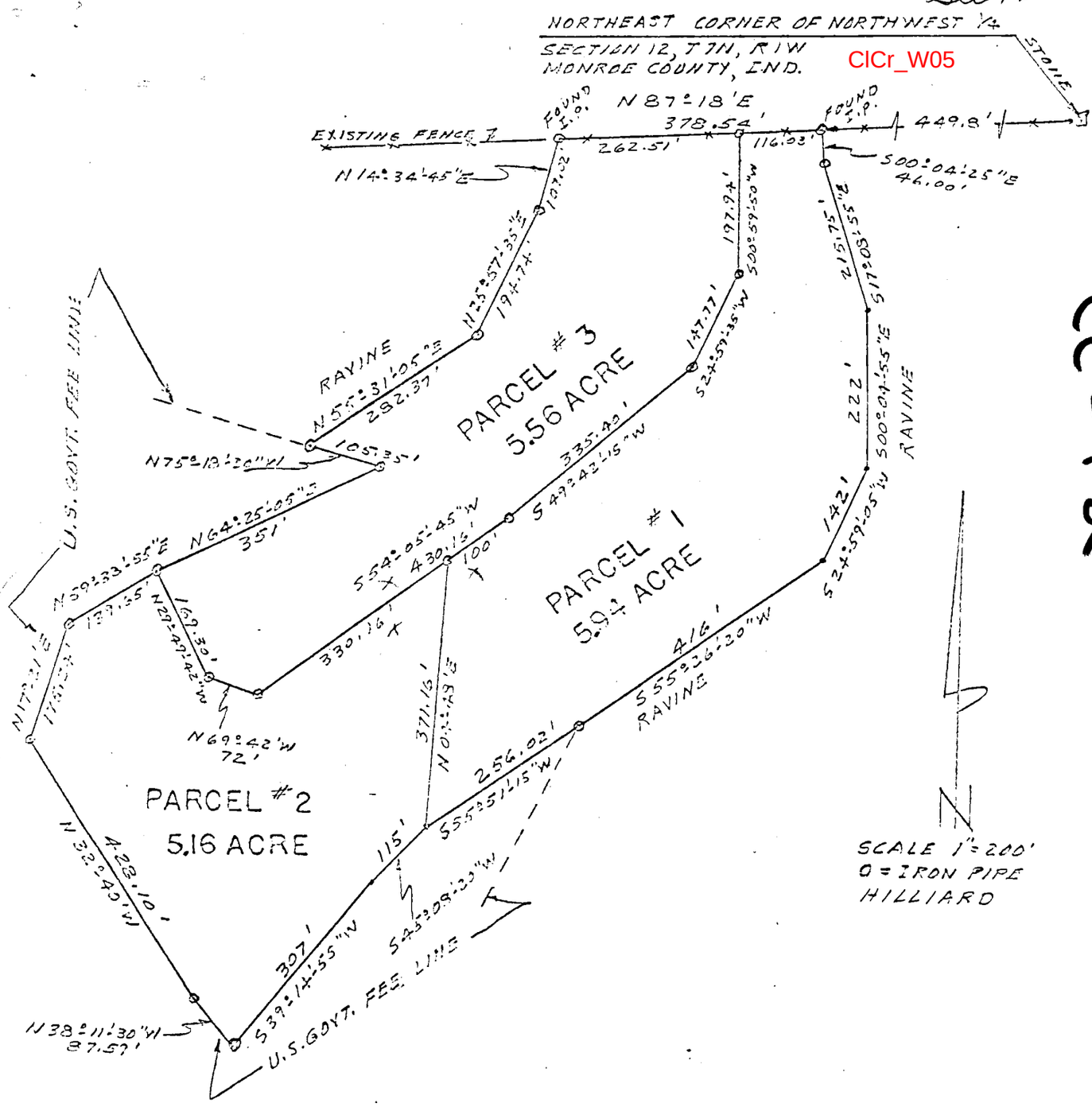
Sec 12



CC-12

State of Indiana
County of Monroe SS:

I, Lee Utt, hereby certify that I am a Land Surveyor licensed in compliance with the laws of the State of Indiana; that the above Plat and attached description correctly represents a survey completed by me on January 11, 1977; that all monuments shown thereon actually exist; and that their location and type are, to the best of my knowledge, accurately shown.

Lee Utt

Lee Utt, R. L. S. # S0089, Indiana

LEE UTT
REGISTERED
No. S-0089
STATE OF
INDIANA

1/4

LEE UTT
REGISTERED LAND SURVEYOR NO. S0089, INDIANA
OFFICE PHONE 332-6366 HOME PHONE 825-5961
1604 SOUTH HENDERSON
BLOOMINGTON, INDIANA 47401

January 11, 1977

Legal description: Parcel # 1 Hilliard

A part of the Northwest quarter of Section 12, Township 7 North, Range 1 West, Monroe County, Indiana, bounded and described as follows: Beginning at a point on the North line of said Northwest quarter and in the center of a ravine, said point of beginning being 449.8 feet West of a stone, marking the Northeast corner of said Northwest quarter; thence from said point of beginning and with said ravine and running South 00°-04'-25" East for 46 feet; thence South 17°-08'-55" East for 215.75 feet; thence South 00°-04'-55" East for 222 feet; thence South 24°-59'-05" West for 142 feet; thence South 55°-26'-20" West for 416 feet and to the U.S. Government Fee taking line; thence leaving said ravine and with said Fee taking line and running South 55°-51'-15" West for 256.02 feet; thence leaving said Fee taking line and running North 04°-48' East for 371.16 feet; thence North 54°-05'-45" East for 100 feet; thence North 49°-42'-15" East for 335.40 feet; thence North 24°-59'-35" East for 147.77 feet; thence North 00°-59'-50" East for 197.94 feet and to the North line of said Northwest quarter; thence with said north line and running North 87°-18' East for 116.03 feet and to the point of beginning. Containing 5.94 acres, more or less.

Lee Utt

Lee Utt, R. L. S. # S0089, Indiana

LEE UTT
REGISTERED
No. S-0089
STATE OF
INDIANA
LAND SURVEYOR

Lee Utt

Lee Utt, R. L. S. # S0089, Indiana

LEE UTT
REGISTERED LAND SURVEYOR NO. S0089, INDIANA
OFFICE PHONE 332-6366 HOME PHONE 825-5961
1604 SOUTH HENDERSON
BLOOMINGTON, INDIANA 47401

January 11, 1977

Legal description: Parcel # 2 Hilliard

A part of the Northwest quarter of Section 12, Township 7 North, Range 1 West, Monroe County, Indiana, bounded and described as follows: Beginning at a point on the North line of said Northwest quarter, said point being 565.83 feet West of a stone, marking the Northeast corner of said Northwest quarter; thence South 00°-59'-50" West for 197.94 feet; thence South 24°-59'-35" West for 147.77 feet; thence South 49°-42'-15" West for 335.40 feet; thence South 54°-05'-45" West for 100 feet and to the real point of beginning of this description; thence from said real point of beginning and running South 04°-48' West for 371.16 feet and to the U. S. Government Fee taking line; thence with said Fee taking line and running South 45°-08'-20" West for 115 feet; thence South 39°-14'-55" West for 307 feet; thence North 38°-11'-30" West for 87.59 feet; thence North 32°-40' West for 428.10 feet; thence North 17°-21' East for 175.24 feet; thence North 59°-38'-55" East for 139.65 feet; thence leaving said Fee taking line and running South 29°-49'-42" East for 169.30 feet; thence South 69°-42' East for 72 feet; thence North 54°-05'-45" East for 330.16 feet and to the real point of beginning. Containing 5.16 acres, more or less.

Lee Utt

Lee Utt, R. L. S. # S0089, Indiana

LEE UTT REGISTERED No. S-0089 STATE OF INDIANA LAND SURVEYOR

Lee Utt

Lee Utt, R. L. S. # S0089, Indiana

LEE UTT
REGISTERED LAND SURVEYOR NO. S0089, INDIANA
OFFICE PHONE 332-6366 HOME PHONE 825-5961
1604 SOUTH HENDERSON
BLOOMINGTON, INDIANA 47401

January 11, 1977

Legal description: Parcel # 3 Hilliard

A part of the Northwest quarter of Section 12, Township 7 North, Range 1 West, Monroe County, Indiana, bounded and described as follows: Beginning at a point on the North line of said Northwest quarter, said point of beginning being 565.83 feet West of a stone, marking the Northeast corner of said Northwest quarter; thence from said point of beginning and running South 00°-59'-50" West for 197.94 feet; thence South 24°-59'-35" West for 147.77 feet; thence South 49°-42'-15" West for 335.40 feet; thence South 54°-05'-45" West for 430.16 feet; thence North 69°-42' West for 72 feet; thence North 29°-49'-42" West for 169.30 feet and to the U. S. Government Fee taking line; thence with said Fee taking line and running North 64°-25'-05" East for 351 feet; thence North 75°-18'-30" West for 105.35 feet; thence leaving said Fee taking line and with the center of a ravine and running North 55°-31'-05" East for 282.37 feet; thence North 25°-57'-35" East for 194.74 feet; thence North 14°-34'-45" East for 107.02 feet and to the North line of said Northwest quarter; thence leaving the center of said ravine and with the North line of said Northwest quarter and running North 87°-18' East for 262.51 feet and to the point of beginning. Containing 5.56 acres, more or less.

Lee Utt

Lee Utt, R. L. S. # S0089, Indiana

LEE UTT REGISTERED No. S-0089 STATE OF INDIANA LAND SURVEYOR

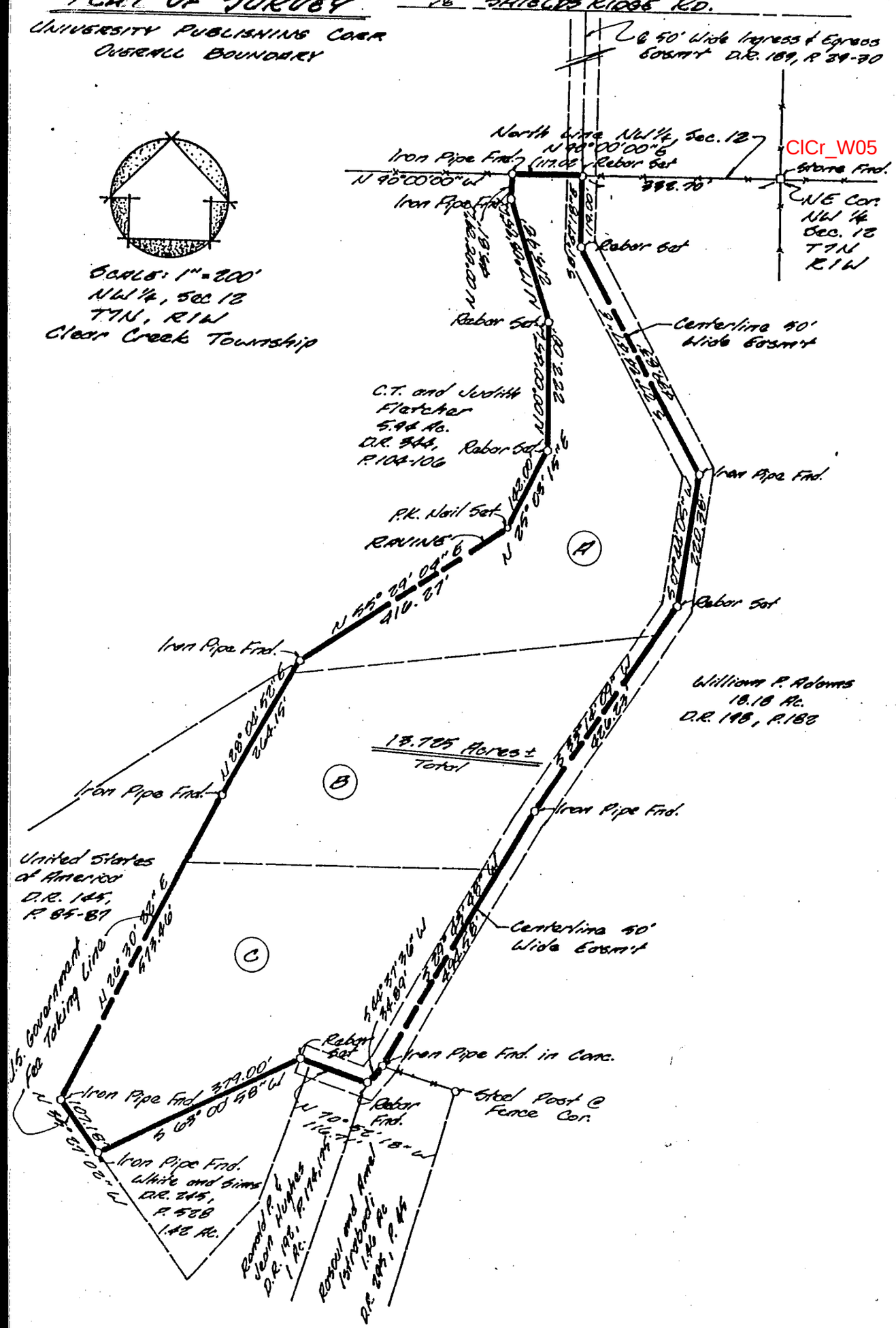
Lee Utt

Lee Utt, R. L. S. # S0089, Indiana

RSID000947

PLAT OF SURVEY

CIICr_W05



Witness my hand and seal this 20th day of January, 1989.

Kevin B. Potter

Kevin B. Potter, L.S. #S0487

Bynum Fanyo & Associates, Inc.
700 N. Walnut Street
Bloomington, IN 47401
812-332-8030

KEVIN BURTON POTTER REGISTERED No S0487 STATE OF INDIANA SURVEYOR

Sec 12 Clear Creek Township

1/2

LEGAL DESCRIPTION

UNIVERSITY PUBLISHING CORPORATION
OVERALL BOUNDARY

The existing legal description is recorded in Deed Record 335, Page 298, Office of the Recorder of Monroe County, Indiana, with said property being more particularly found by a recent survey and described in the following:

Part of the Northwest quarter, Section 12, Township 7 North, Range 1 West, Clear Creek Township, Monroe County, Indiana, more particularly described as follows:

Commencing at the Northeast corner of said quarter section, said corner being marked by a stone found; thence along the North line of said quarter section South 90 degrees 00 minutes 00 seconds West, 332.70 feet to a rebar set on the center line of a private roadway and to the point of beginning; thence along said center line the following courses:

1) South 01 degrees 47 minutes 18 seconds East 119.00 feet to a rebar set;
2) South 27 degrees 24 minutes 47 seconds East 439.83 feet to an iron pipe found;
3) South 07 degrees 44 minutes 05 seconds West 220.38 feet to a rebar set;
4) South 33 degrees 14 minutes 09 seconds West 426.23 feet to an iron pipe found;
5) South 29 degrees 43 minutes 48 seconds West 494.58 feet to an iron pipe found;
6) South 44 degrees 37 minutes 36 seconds West 34.89 feet to a rebar found;
7) North 70 degrees 52 minutes 18 seconds West 116.71 feet to a rebar set at the end of said center line;

thence South 63 degrees 00 minutes 58 seconds West 379.00 feet to an iron pipe found on the U.S. Government Fee Taking Line; thence along said Fee Taking Line the following courses:

1) North 35 degrees 27 minutes 02 seconds West 107.18 feet to an iron pipe found;
2) North 26 degrees 30 minutes 22 seconds East 573.46 feet to an iron pipe found;
3) North 28 degrees 04 minutes 52 seconds East 264.15 feet to an iron pipe found in a ravine;

thence along said ravine the following courses:

1) North 55 degrees 29 minutes 04 seconds East 416.27 feet a P.K. nail set in rock;
2) North 25 degrees 03 minutes 15 seconds East 142.00 feet to a rebar set;
3) North 00 degrees 00 minutes 45 seconds West 222.00 feet to a rebar set;
4) North 17 degrees 03 minutes 25 seconds West 215.92 feet to an iron pipe found;
5) North 00 degrees 02 minutes 29 seconds West 45.81 feet to an iron pipe found on the North line of said Northwest quarter;

thence North 90 degrees 00 minutes 00 seconds East along said North line 117.02 feet to the point of beginning, containing 13.725 acres, more or less.

RSID000945

LEE UTT
Registered Land Surveyor No. S0089, Indiana
Phone 332-6366
1604 S. Henderson Street
Bloomington, Indiana 47401

512624

BOOK 234 PAGE 555

SURVEYORS'S REPORT

Don Todd
Section 12, Township 7 North, Range 1 West, Monroe County, Indiana
January 9, 1995

1.
In accordance with Title 864, Article 1.1, Chapter 13, Section 1 through 34 of the Indiana Administrative Code, the following observation and opinions are submitted regarding the various uncertainties in the location of the lines and corners established on this survey as a result of

RECORDED
A.M. 9:27 P.M.
SEP 05 1995
RECORDER MONROE CO., IN

a) Variances in the reference monuments;
b) Discrepancies in record descriptions and plats;
c) Inconsistencies in lines of occupation;
d) Random error in measurements (theoretical uncertainty)

The theoretical uncertainty (due to random errors in measurements) of the corners of the subject tract established this survey is within the specifications for a Class C Survey (0.50) as defined in 1AC864.

The subject tracts are a part of a larger tract that is described in a document provided by client. The configuration of the four individual tracts also serve to correct the boundary of the parent tract and the four individual tracts entirely encompass the total parent tract. The recorded boundary ofthe parent tract does not conform to the boundary as per this survey due to the limitations of the adjoiners.
A stone was found at the East quarter corner of Section 1, Township 7 North, Range 1 West. A stone also was found at the location indentified in the Terre Haute Realty deed as being the Northeast corner of the West one half of the Northeast quarter. The relative position of these two stones is not compatible with original record survey. However the called for position of the stone in the Terre Haute Realty deed is compatiable with other adjoiners and was used in this survey as marking the Northwest corner of the Northeast quarter of the Northeast quarter of Section 12. Contact was made with the Monroe County Surveyor and a request was made for his office to attempt a resolution of this contridiction of monuments.

Other monuments were either found or set as shown on the plat of survey.

As a result of the above oberservation, it is my opinion that the uncertainties in the location of the lines and corners are compatible with the standard of accuracy as stated above

Lee Utt

SUBJECT to an Easement and Right-of-way for the purpose of ingress and egress executed by Grantors herein to Mary Adams, et al, recorded in Miscellaneous Record 57 at pages 417-419, in the office of the Recorder of Monroe County, Indiana.

CONVEYING ALSO, to the Grantees herein, and to their successors, grantees and assigns, an Easement and Right-of-Way for the purpose of ingress and egress to and from the lands conveyed herein, over and along an existing roadway leading from Shady Side Road, as described in the Easement for Roadway executed by Grantors herein to Mary Adams, et al, recorded in Miscellaneous Record 57 at pages 417-419; and ALSO the right to use the roadway as described in the Easement for Roadway executed by Mary Adams, et al to Grantors herein as shown in Miscellaneous Record 57 at pages 420-422, all in the Office of the Recorder of Monroe County, Indiana.

THE ABOVE DESCRIBED LANDS WILL BE CONVEYED SUBJECT TO THE FOLLOWING COVENANTS AND RESTRICTIONS, WHICH SHALL RUN WITH THE LAND, TO-WIT:

1. A building line of Forty (40) feet between which line and the road line no building or parts thereof shall be erected or maintained.

2. Only one (1) single family dwelling, with a garage appurtenant thereto, may be erected or maintained on each acre of land conveyed herein, said family dwelling to be used for residence purposes only.

3. The ground floor area of the main structure of any one-story residence, exclusive of open porches, breezeways and garages, shall not be less than One Thousand Fifty (1050) square feet. For any dwellings of more than one (1) story in height, the ground floor area shall not be less than 900 square feet. "Floor Area" shall be measured from outside to outside of exterior wall finish.

4. No building, or any part thereof, erected or maintained thereon shall be used for business or commercial purposes of any kind. No part of the lands herein conveyed shall be used except for residential purposes. No structure of a temporary character, trailer, basement, tent, shack, garage, barn or other out-buildings shall be used on any part of these lands at any time as a residence, either temporarily or permanently.

5. No part of this real estate shall be used or maintained as a dumping ground for rubbish, trash, garbage or other waste material, and such items shall not be kept except in sanitary containers. All incinerators or other equipment for the storage or disposal of such material shall be kept in a clean and sanitary condition. Also, no part of this real estate conveyed herein shall be used as a depository for junk vehicles of any kind.

6. No individual sewage disposal system shall be permitted on any part of the within described real estate unless such system is located, constructed and equipped in accordance with the standard and requirements of the Indiana State Board of Health. Approval of such system shall be obtained from the aforesaid authority.

7. No animals, livestock or poultry of any kind shall be raised, bred, or kept on any lot, except that dogs, cats or other household pets may be kept, provided that they are not kept, bred or maintained for any commerical purpose.

8. There shall be no subdivision of the lands herein described nor any sale thereof in parcels, except in parcels of at least one acre; however, a portion of each one (1) acre tract may be sold to an adjoining owner, provided no division is made to create two (2) or more lots. No Manufacturing, noxious, illegal or offensive activity shall be carried on upon any part of the real estate herein described nor shall anything be done thereon which may be or may become an annoyance or nuisance to the neighborhood.

9. Enforcement shall be by proceedings at law, or in equity, against any person or persons violating or attempting to violate any covenant, either to restrain violation or to recover damages, and the right herein shall inure to the owners of the tracts of land conveyed by grantors herein and to their grantees and assigns; and they shall be entitled to such relief without being required to show any damages of any kind to any such owner by or through any such violation or attempted violation.

Invalidation of any one of these covenants by judgment or court order shall in no wise affect any of the other provisions which shall remain in full force and effect.

LEE UTT
REGISTERED LAND SURVEYOR No. S0089, INDIANA
PHONE 332-6366
1604 S. HENDERSON STREET
BLOOMINGTON, INDIANA 47401

Legal description: Tract # 1 Don Todd

A part of the Northeast quarter of Section 12, Township 7 North, Range 1 West, Monroe County, Indiana, bounded and described as follows: Beginning at a set 5/8 inch iron pin on the East line of a tract of land that is described in a Deed to Terre Haute Realty and recorded February 14, 1989 in Deed Record 356, page 364, in the office of the Recorder of Monroe County, Indiana, said point of beginning being South 00 degrees 20 minutes 49 seconds West, 392.50 feet from a stone, found and accepted, as marking the Northwest corner of the Northeast quarter of the Northeast quarter of said Section 12; thence from said point of beginning and with the East line of said Terre Haute Realty tract and running South 00 degrees 20 minutes 49 seconds West for 495.17 feet and to a set 5/8 inch iron pin; thence North 87 degrees 21 minutes 44 seconds East for 266.22 feet and to a set 5/8 inch iron pin; thence North 17 degrees 50 minutes 06 seconds West for 506.21 feet and to a set 5/8 inch iron pin; thence North 89 degrees 27 minutes 16 seconds West for 107.90 feet and to the point of beginning. Containing 2.13 acres, more or less.

Subject to, a non-exclusive easement, Twenty-five (25) feet in width, along the entire South line of the above described tract.

ALSO, the right to use, a non-exclusive easement, Fifty (50) feet in width for purpose of ingress and egress and installation and maintenance of utilities, the centerline of said Fifty foot easement being described as follows: Beginning at the Southeast corner of the above described tract; thence North 87 degrees 21 minutes 44 seconds East for 114.00 feet and to the centerline of a public road.

SUBJECT TO, all easements and rights of way of record.

Lee Utt, R. L. S. # S0089, Indiana
January 9, 1995

LEE UTT
REGISTERED LAND SURVEYOR No. S0089, INDIANA
PHONE 332-6366
1604 S. HENDERSON STREET
BLOOMINGTON, INDIANA 47401

Legal description: Tract # 2 Don Todd

A part of the Northeast quarter of Section 12, Township 7 North, Range 1 West, Monroe County, Indiana, bounded and described as follows: Beginning at a set 5/8 inch iron pin that is South 00 degrees 20 minutes 49 seconds West, 392.50 feet and South 89 degrees 27 minutes 16 seconds East, 107.90 feet from a stone found and accepted as marking the Northwest corner of the Northeast quarter of the Northeast quarter of said Section 16; thence from said point of beginning and running South 17 degrees 50 minutes 06 seconds East for 506.21 feet and to a set 5/8 inch iron pin; thence North 87 degrees 21 minutes 44 seconds East for 114.00 feet and to a set 5/8 inch iron pin; thence North for 474.07 feet and to a set 5/8 inch iron pin; thence North 89 degrees 27 minutes 16 seconds West for 268.92 feet and to the point of beginning. Containing 2.13 acres, more or less.

SUBJECT TO, a non-exclusive easement, Twenty-five (25) feet in width, along the entire South line of the above described tract.

SUBJECT TO, all easements and rights of way of record.

Lee Utt, R. L. S. # S0089, Indiana
January 9, 1995

LEE UTT
REGISTERED LAND SURVEYOR No. S0089, INDIANA
PHONE 332-6366
1604 S. HENDERSON STREET
BLOOMINGTON, INDIANA 47401

BOOK 231 PAGE 559

Legal description: Tract # 3 Don Todd

A part of the Northeast quarter of Section 12, Township 7 North, Range 1 West, Monroe County, Indiana, bounded and described as follows: Beginning at a set 5/8 inch iron pin on the East line of a tract of land that is described in a Deed to Terre Haute Realty and recorded February 14, 1989 in Deed Record 356, page 364 in the office of the Recorder of Monroe County, Indiana, said point of beginning being South 00 degrees 20 minutes 49 seconds West, 887.67 feet from a stone found and accepted as marking the Northwest corner of the Northeast quarter of the Northeast quarter of said Section 12; thence from said point of beginning and with the East line of said Terre Haute Realty tract and running South 00 degrees 20 minutes 49 seconds West for 382.10 feet and to a set 5/8 inch iron pin; thence North 51 degrees 54 minutes 29 seconds East for 485.62 feet and to a set 5/8 inch iron pin; thence North 00 degrees 02 minutes 15 seconds West for 100.00 feet and to a set 5/8 inch iron pin; thence South 87 degrees 21 minutes 44 seconds West for 380.22 feet and to the point of beginning. Containing 2.13 acres, more or less.

SUBJECT TO, a non-exclusive easement, Twenty-five (25) feet in width, along the entire North line of the above described tract.

SUBJECT TO, a non exclusive easement, Twenty (20) feet in width, along the entire East line of the above described tract.

SUBJECT TO, all easements and rights of way of record.

Lee Utt, R. L. S. # S0089, Indiana
January 9, 1995

LEE UTT
REGISTERED LAND SURVEYOR NO. S0089, INDIANA
PHONE 332-6366
1604 S. HENDERSON STREET
BLOOMINGTON, INDIANA 47401

BOOK 234 PAGE 560

Legal description: Tract # 4 Don Todd

A part of the Northeast quarter of Section 12, Township 7 North, Range 1 West, Monroe County, Indiana, bounded and described as follows: Beginning at a set 5/8 inch iron pin on the East line of a tract of land that is described in a deed to Terre Haute Realty and recorded February 14, 1989 in Deed Record 356, page 364 in the office of the Recorder of Monroe County, Indiana, said point of beginning being South 00 degrees 20 minutes 49 seconds West, 1269.77 from a stone found and accepted as marking the Northwest corner of the Northeast quarter of the Northeast quarter of said Section 12; thence from said point of beginning and with the East line of said Terre Haute Realty tract and running South 00 degrees 20 minutes 49 seconds West for 89.73 feet and to a set 5/8 inch iron pin; thence South 89 degrees 57 minutes 45 seconds East for 382.99 feet and to a found stone; thence North 00 degrees 02 minutes 15 seconds West for 389.57 feet and to a set 5/8 inch iron pin; thence South 51 degrees 54 minutes 29 seconds West for 485.62 feet and to the point of beginning.

ALSO, the right to use, a non-exclusive easement, Twenty (20) feet in width, from the Northeast corner of the above described tract, said 20 foot easement being 20 feet to the West of and along the entire length of a line described as North 00 degrees 02 minutes 15 seconds West, 100 feet and to the centerline of a 50 foot Public Road.

SUBJECT TO, all easements and rights-of-way of record.

Lee Utt, R. L. S. # S0089, Indiana
January 9, 1995

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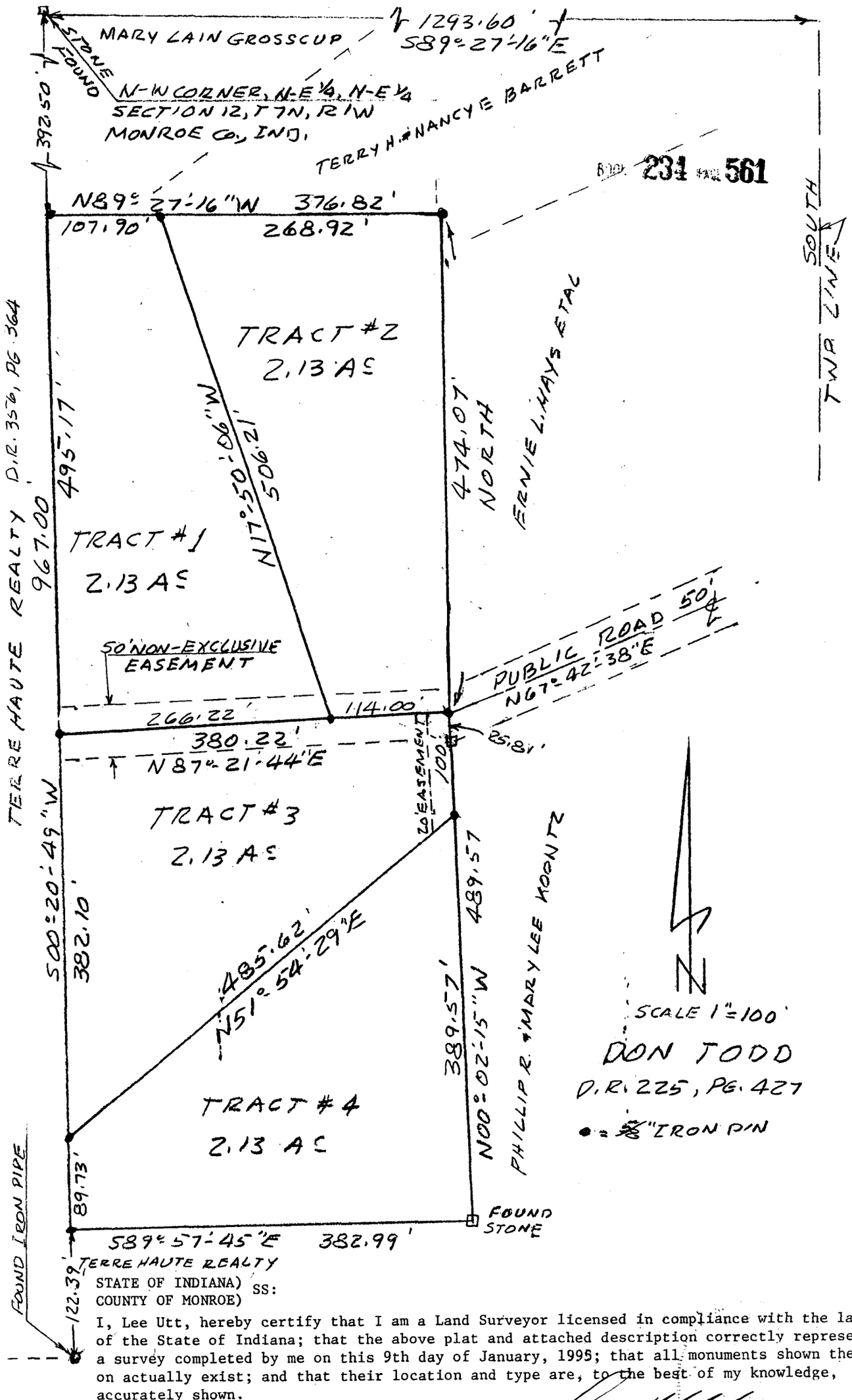

STATE OF INDIANA) SS:
COUNTY OF MONROE)

I, Lee Utt, hereby certify that I am a Land Surveyor licensed in compliance with the laws of the State of Indiana; that the above plat and attached description correctly represent a survey completed by me on this 9th day of January, 1995; that all monuments shown thereon actually exist; and that their location and type are, to the best of my knowledge, accurately shown.

Lee Utt